

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

U.S.A. vs. Anthony Cornelius Askew

Docket No. 2:11-CR-18-1BR

Petition for Action on Supervised Release

COMES NOW Tuell Waters, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Anthony Cornelius Askew, who, upon an earlier plea of guilty to Possession of Counterfeit United States Currency in violation of 18 U.S.C. § 472 and Felon in Possession of a Firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on January 3, 2012, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 3 years under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall comply with the registration requirements of the Sex Offender Registration and Notification Act of 2006, as directed by the Bureau of Prisons and the probation officer.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. The defendant shall submit to a search of person, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time, with or without a warrant. The search may be conducted by any law enforcement officer or probation officer with reasonable suspicion concerning a violation of a condition of supervision or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.

Anthony Cornelius Askew was released from custody on January 6, 2014, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On January 6, 2014, the defendant reported to the U.S. Probation Office and provided a urine specimen which was positive for the presence of THC. Askew admitted to smoking marijuana on or about December 23, 2013, which was during his Bureau of Prisons placement at the Residential Reentry Center and prior to the commencement of his term of supervised release. Therefore, this was not addressed as violation conduct. On March 11, 2014, the defendant tested positive for THC and readily provided a written admission to using marijuana on February 28, 2014. It is respectfully recommended that the term of supervised release be modified to include two days of intermittent confinement and the addition of the DROPS condition in the second use level. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be intermittently confined in the custody of the Bureau of Prisons for a period not to exceed 2 days, as arranged by the U.S. Probation Office, and shall abide by all rules and regulations of the designated facility.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Room 214
Greenville, NC 27858-1137
Phone: 252-758-7200
Executed On: March 20, 2014

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ORDER OF COURT

Considered and ordered this 24 day of March, 2014, and ordered filed and made a part of the records in the above case.

A handwritten signature in green ink, appearing to read "Paul Burt", is written over a horizontal line.